

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re the Application of:</b>	)	
<b>Lars Petersen</b>	)	<b>Group Art Unit: 3635</b>
	)	
<b>Serial No.: 10/585,487</b>	)	<b>Confirmation No.: 3682</b>
	)	
<b>Filing Date: May 15, 2009</b>	)	<b>Examiner: Canfield, Robert</b>
	)	
<b>For: A BUILDING OR WINDOW</b>	)	
<b>ELEMENT AND A METHOD OF</b>	)	
<b>PRODUCING A BUILDING</b>	)	

**RESPONSE TO ELECTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Election Requirement imposed in the Office Action dated March 8, 2011, Applicant hereby elects Species “a” (Figs. 1 and 3). At least the following claims are believed to read on the elected species: 1-9 and 14-17.

The above election is made with traverse. Applicant respectfully points out that no “unity of invention” objection was made by the International Searching Authority. Thus, all of the claims were in compliance with PCT Rule 13.1 as applied by the ISA. It is respectfully submitted that a determination of compliance with PCT Rule 13.1 by the ISA should preclude a contrary finding by the USPTO as a Designated Office during the national stage. Moreover, it is believed that the claims fulfill the requirements of PCT Rule 13.2, in that there is “a technical relationship among [the claimed] inventions involving one or more of the same or corresponding special technical features.” PCT Rule 13.2. The corresponding technical features linking all of the claims in this application include at least the first and second pultruded elements adhered to a glass panel. Furthermore, in accordance with PCT Rule 13.4, “it shall be permitted to include in the same international application a reasonable number of dependent claims, claiming *specific forms of the invention claimed in an independent claim*, even where the features of any dependent claim could be considered as constituting in themselves an invention.” (Emphasis added.) This rule is applicable to national stage applications under 37 CFR 1.475, and the

“specific forms of the invention” mentioned in PCT Rule 13.4 should be considered as corresponding to “species” in a national stage application.

In summary, it is respectfully submitted that the Election Requirement in this application is improper and should be withdrawn. Examination of claims 1-17 on the merits is therefore respectfully requested.

Respectfully submitted,

KLEIN, O'NEILL & SINGH, LLP

A handwritten signature in black ink, appearing to read 'H. Klein', is written over the printed name of Howard J. Klein.

Howard J. Klein  
Reg. No. 28,727

Date: April 6, 2011

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